



JG02 Rec'd T/PTO 02 APR 2002
PC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

BENJAMIN

Atty. Ref.: 117-377

Serial No. 10/019,951

Group:

Filed: February 7, 2002

Examiner:

For: DATA PROCESSOR

* * * * *

April 2, 2002

Assistant Commissioner for Patents
Washington, DC 20231

RECEIVED

MAY 06 2002

Sir:

Technology Center 2100

RESPONSE TO NOTIFICATION OF MISSING
REQUIREMENTS UNDER 35 U.S.C. 371

Responsive to the Notification of Missing Requirements mailed March 19, 2002 (a copy of which is attached), it is respectfully submitted that the executed Declaration and Assignment were filed on February 7, 2002. A copy of the PTO mail room date-stamped postcard indicating receipt of the executed Declaration is attached hereto along with a further copy of the Declaration.

Confirmation of receipt of the executed Declaration is respectfully requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____

Arthur R. Crawford

Reg. No. 25,327

ARC:pfc

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Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

Serial No.: unknown
Inventor/s: BENJAMIN
Title: DATA PROCESSOR

C#/M#: 117-377
Atty: Arthur R. Crawford
Date: February 7, 2002

Amendment
 Sheets of Drawings
 Declaration (THREE Pages)
 Assignment (2 Pages) Including Cover
Priority Document(s)
Information Disclosure Statement

\$40.00 Fee (Check) - Pre-Bill
\$ Fee (Check) - Non Pre-Bill

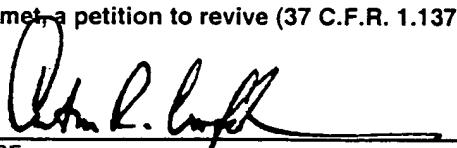
\$40.00 = Total Fee Enclosed

Other:



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MAY 06 2002
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| | | |
|--|---|--|
| FORM PTO-1390 (REV 11-2000) | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEY'S DOCKET NUMBER 117-377 |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) unknown |
| INTERNATIONAL APPLICATION NO. PCT/GB00/02573 | INTERNATIONAL FILING DATE 5 July 2000 | PRIORITY DATE CLAIMED 9 July 1999 |
| TITLE OF INVENTION DATA PROCESSOR | | |
| APPLICANT(S) FOR DO/EO/US BENJAMIN | | |
| <p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The U.S. has been elected by the expiration of 19 months from the priority date (Article 31). 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 To 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input type="checkbox"/> Other items or information. | | |

| | | | | | |
|--|---|-------------------------------------|----------|------------------------|---------|
| U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) unknown | INTERNATIONAL APPLICATION NO. PCT/GB00/02573 | ATTORNEY'S DOCKET NUMBER 117-377 | | | |
| 21. <input checked="" type="checkbox"/> The following fees are submitted: | | CALCULATIONS PTO USE ONLY | | | |
| BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5): <ul style="list-style-type: none"> -- Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00 -- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 -- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO \$740.00 -- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 -- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 | | | | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | \$ 0.00 | | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)). | | \$ 0.00 | | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total Claims | 20 | -20 = | 0 | X | \$18.00 |
| Ind. dependent Claims | 3 | -3 = | 0 | X | \$84.00 |
| MULTIPLE DEPENDENT CLAIMS(S) (if applicable) | | | \$280.00 | | \$ 0.00 |
| | | TOTAL OF ABOVE CALCULATIONS = | | \$ 0.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | 0.00 | |
| | | SUBTOTAL = | | \$ 0.00 | |
| Processing fee of \$130.00, for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)). | | + | | 0.00 | |
| | | TOTAL NATIONAL FEE = | | \$ 0.00 | |
| Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property | | + | | \$ 40.00 | |
| Fee for Petition to Revive Unintentionally Abandoned Application (\$1280.00 - Small Entity = \$640.00) | | | | \$ 0.00 | |
| The PTO did not receive the following | | TOTAL FEES ENCLOSED = | | \$ 40.00 | |
| <input type="checkbox"/> listed item(s) \$1040.00 Check # 10 | | | | Amount to be: refunded | \$ |
| | | | | Charged | \$ |
| a. <input checked="" type="checkbox"/> A check in the amount of \$40.00 to cover the above fees is enclosed. | | | | | |
| b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$ _____ to cover the above fees. A duplicate copy of this form is enclosed. | | | | | |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A <u>duplicate</u> copy of this form is enclosed. | | | | | |
| d. <input checked="" type="checkbox"/> The entire content of the foreign application(s), referred to in this application is/are hereby incorporated by reference in this application. | | | | | |
| NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: NIXON & VANDERHYE P.C. 1100 North Glebe Road, 8 th Floor Arlington, Virginia 22201-4714 Telephone: (703) 816-4000 | | | | | |
|  SIGNATURE | | | | | |
| Arthur R. Crawford NAME | | | | | |
| 25,327 February 7, 2002 REGISTRATION NUMBER Date | | | | | |



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 9671
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

| | | |
|---|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/019,951 | S Benjamin | 117-377 |
| INTERNATIONAL APPLICATION NO. | | |
| PCT/GB00/02573 | | |
| I.A. FILING DATE | | PRIORITY DATE |
| 07/05/2000 | | 07/09/1999 |
| CONFIRMATION NO. 6265 | | |
| 371 FORMALITIES LETTER | | |
|  *OC00000007659682* | | |

Date Mailed: 03/19/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement

DOCKETED

CLT/MATTER # 117-377
 MAIL DATE 3-19-02
 DUE DATE May 19, 2002
 FINAL DEADLINE Oct 19, 2002
 DOCKETED BY Patent Office

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 305-3734

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/019,951 | PCT/GB00/02573 | 117-377 |

FORM PCT/DO/EO/905 (371 Formalities Notice)